

FILED

UNITED STATES COURT OF APPEALS

JUN 15 2010

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DALE SCOTT HEINEMAN,

Defendant - Appellant.

No. 10-10019

D.C. No. 3:05-cr-00611-WHA-1
Northern District of California,
San Francisco

ORDER

Before: Peter L. Shaw, Appellate Commissioner.

The court has received and reviewed the parties' responses to this court's February 17, 2010 order to show cause. The order to show cause is discharged.

The briefing schedule shall proceed as follows: the opening brief is due July 21, 2010; the answering brief is due August 20, 2010; and the optional reply brief is due within 14 days after service of the answering brief.

Because appellant is proceeding without counsel, the excerpts of record requirement is waived. *See* 9th Cir. R. 30-1.2. Appellee's supplemental excerpts of record are limited to the district court docket sheet, the notice of appeal, the judgment or order appealed from, and any specific portions of the record cited in appellee's brief. *See* 9th Cir. R. 30-1.7.

AW/MOATT